

ATTORNEY DOCKET NO.: 2001P15159WOUS

REMARKS

Claims 1 and 3 have been canceled by this Amendment. Claims 2, 4, 5, 11, and 12 have been amended by this Amendment. A new independent claim 13 and a new dependent claim 14 depending from new claim 13 have been added. Claims 2, 4 – 6, and 11 – 14 are currently pending in the present application.

In the Office Action, claims 1 - 4, 6 and 11 are rejected under 35 U.S.C. §103(a) as being unpatentable over Areaux et al US Patent No. 4,186,096 in view of Mikina US Patent No. 2,552,572. Also, in the Office Action, claim 5 is rejected under 35 U.S.C. §103(a) as being unpatentable over Areaux et al US Patent No. 4,186,096 in view of Mikina US Patent No. 2,552,572, and further in view of Truitt US Patent No. 2,138,716.

In Office Action, claim 12 is objected to but would be allowable if rewritten in independent form.

Favorable reconsideration is respectfully requested in view of the cancellation of claims 1 and 3, the amendment of claims 2, 4, 5, 11, and 12, and the following comments.

Applicants thank the Examiner for the opportunity to discuss the present application on April 9, 2008. During that discussion, Applicants proposed to submit amendments to the claims to further emphasize that the projections of the drive unit of the recited motorized kitchen appliance of the present invention extend in a direction perpendicular to the vertical axis of the drive unit.

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New independent claim 13 of the present application recites a motorized kitchen appliance. The kitchen appliance includes a housing having a cylindrical outer wall with the cylindrical wall having an inner surface and a pair of axial ends. The kitchen application recited in new independent claim 13 of the present application also includes a first recessed element and a second recessed element. The first recessed element and the second recessed element each are located radially inwardly of the inner surface of the cylindrical outer wall and are angularly spaced from one another. Additionally, the first and second recessed elements each have an opening and the first and second recessed elements each have a radially innermost surface. These radially innermost surfaces of the first and second recessed elements delimit an effective inner diameter. The kitchen application recited in new independent claim 13 of the present application further includes a drive unit having a motor, the drive unit being disposed within the housing and having a first projection corresponding to the opening of the first recessed element for receipt therein in an installed disposition of the drive unit in the housing and a second projection corresponding to the second opening of the second recessed element for receipt therein in the installed disposition of the drive unit in the housing. The first projection and the second projection of the drive unit are located axially intermediate the pair of axial ends of the cylindrical outer wall of the housing and the first projection and the second projection of the drive unit delimit an effective diameter of the drive unit that is greater than the effective inner diameter delimited by the radially innermost surfaces of the first and second recessed elements. The first and second projections of the drive unit each project outwardly from the drive unit to extend through the respective openings in the first and second recessed elements in a direction perpendicular to the vertical axis of said drive unit and the first and second projections of the drive unit engage the openings of the first and second recessed elements to securely mount the drive unit within the housing.

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Areaux discloses a centrifuge for separating lubricating liquid from lubrication-impregnated metal chips. A drive shaft is coupled to a substantially bell-shaped centrifugal separator bowl. An elastic mounting arrangement is provided for mounting the motor. The drive shaft extends in a substantially vertical direction and permits the motor to vibrate transverse to its axis. As illustrated in Fig. 2 of Areaux, a flange 14 is secured to the lower end of the motor 12. A second flange 15 abuts against the flange 14 coaxially arranged with respect thereto, and fixed thereto in any convenient manner and carrying connected thereto a downwardly projecting central stud shaft surrounded by a plurality of rubber rings 17. The rubber rings 17 are housed in a socket mounted in the base 18 of the centrifuge 10. The rubber rings 17 can be compressed by means of a clamping flange screwed into the upper end of the socket in which the rubber rings are housed (column 3, lines 3-17).

Mikina US Patent No. 2,552,572 discloses a fruit juice extractor having a bracket 14 welded to an inner wall of a casing 10. A bracket 18 projecting from the housing of a motor 15 is secured to the bracket 14.

Truitt discloses a bread crumbing machine. The bread crumbing machine includes a frame having a bracket attached to a horizontal base plate. The lower end of the shaft of the motor is supported on a ball bearing 21 forming a thrust bearing, and resting on a special bearing plate 22 supported on the horizontal plate 18.

It is submitted that new independent claim 13, and all of the remaining pending claims 2, 4 – 6, 11, 12, and 14 which depend ultimately therefrom, all patentably define over the prior art of record. The prior art of record would not provide one of skill in the art with any hint or motivation to provide a motorized kitchen appliance such as that recited in new claim 13. For example, the

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inventive arrangement includes a drive unit with projections that project in a direction perpendicular to the axis of the drive unit, with the projections engaging the openings to securely mount a drive unit within this housing. Such a claimed structure is not shown by, nor obvious from, the prior art of record.

CONCLUSION

In view of the above, entry of the present Amendment and allowance of claims 2, 4 – 6, and 11 – 14 are respectfully requested. If the Examiner has any questions regarding this amendment, the Examiner is requested to contact the undersigned. If an extension of time for this paper is required, petition for extension is herewith made.

Respectfully submitted,



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June 3, 2008

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